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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X Chapter 11  
In Re:  
Case No.: 24-10449-MEW  
MOXY RESTAURANT ASSOCIATES INC.  
Debtor

-----X

**DECLARATION PURSUANT TO 11 USC 1187 AND 1116(1)(b)**

I, Thomas McCarthy, declare, certify, verify and/or state under penalty of perjury of the laws of the United States of America, pursuant to 28 U.S.C. §1746, as follows:

1. I am a director of Moxy Restaurant Associates, Inc. ("Debtor").
2. I am familiar with the facts and circumstances as recited herein. If called upon to testify, I could and would testify competently to the facts set forth herein.
3. No balance sheet, cash flow statement, or statement of operations has been prepared for the Debtor.
4. I am attaching the most recent tax return for the Debtor. This tax return contains a balance sheet and cash flow statement.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: New York, New York  
March 26, 2024

Thomas "Andy" Roldan